

UNITED STATES PRETRIAL SERVICES AGENCY
Eastern District of New York

MEMORANDUM

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ MAY 24 2019 ★

DATE: May 24, 2019

TO: Honorable Joanna Seybert
Senior U.S. District Judge

LONG ISLAND OFFICE

RE: Itzhak Hershko
Docket No.: 16-cr-573

Request for Modification of Release Conditions

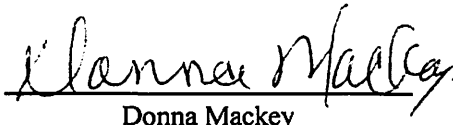
The above-listed defendant was arrested on November 9, 2016, in the Eastern District of New York and charged with Bank Fraud, in violation of 18 U.S.C. § 1344. On the same day, he stood present for Initial Appearance and Arraignment before Honorable Leonard D. Wexler and was released on a \$250,000 secured bond with the following conditions: (1) Travel restricted to New York, New Jersey, Connecticut, Florida after receiving approval of Pretrial Services, (2) Surrender passport and do not apply for a new one, (3) Report to Pretrial Services as directed, (4) Random home and employment visits by Pretrial Services. The defendant entered a guilty plea before former U.S. District Judge Joseph Bianco on February 5, 2019; Sentencing is scheduled for September 19, 2019, before Your Honor.

On April 3, 2019, a presentence interview was conducted, at which time the defendant disclosed to U.S. Probation Officer Gregory Giblin that he sporadically used marijuana since he was forty-five-years-old, but decided to stop using after enduring a car accident back in July of 2018. On the same day of the presentence interview, he was drug tested; the test yielded a positive result for marijuana.

The defendant met with Pretrial Services on April 30, 2019, for his monthly office visit. Upon inquiry, he claimed he had been using CBD oil that his doctor recommended he use to address severe pain back pain. After further questioning, the defendant admitted to smoking marijuana. He reported last using marijuana around the end of March. During this office visit, he agreed to partake in a voluntary drug test; the test returned positive for benzodiazepine (for which he has a valid prescription) and negative for marijuana.

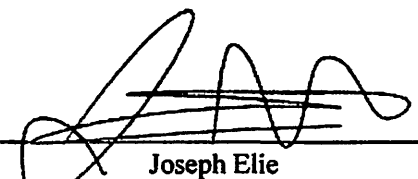
Based on the defendant's self-reported history of drug use along with the recent positive drug test, Pretrial Services is requesting that the current bail conditions be modified to include random drug testing and treatment as deemed necessary. We've attached an Order for Your Honor's convenience. If Your Honor has any questions or concerns, feel free to contact U.S. Pretrial Services Officer Donna Mackey at extension 6404.

Prepared by:


Donna Mackey

U.S. Pretrial Services Officer

Approved by:


Joseph Elie

Supervising U.S. Pretrial Services Officer

Attachment

RE: Hershko, Itzhak
Docket No.: 16-cr-573

IT IS THE ORDER OF THE COURT THAT:

☒ The defendant's conditions of release be modified to include random drug testing and treatment as deemed necessary

☐ No action with regard to the defendant's condition of release is to take place at this time.

☐ Other:

SO ORDERED,

/s/ JOANNA SEYBERT
Honorable Joanna Seybert
Senior U.S. District Judge

5/24/2019
Date

cc: Christopher Caffarone, U.S. Attorney's Office
Stephen Scaring, Defense Counsel